



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 25, 2008

John Williams
19815 NW Nestucca Drive
Portland, OR 97225

Dear John:

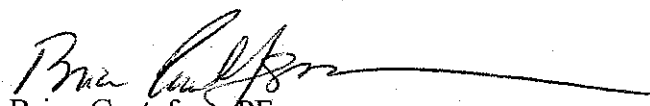
On October 1, 2007, the South Dakota Department of Environment and Natural Resources received your request for a copy of all materials possessed by DENR related to the proposed oil refinery in Union County, South Dakota. At the time, the department had not received an application and had very little information to provide you.

On December 20, 2007, the department received Hyperion Energy Center's application for a Prevention of Significant Deterioration air quality permit. The department developed a website at <http://www.state.sd.us/denr/hyperion.htm>, where the department will post permit applications submitted by Hyperion, correspondence files, and provide updates regarding the status of the department's review of those applications. Before we make copies of the material you requested I wanted to check and see if the electronic versions will satisfy your request.

In your letter you requested that we inform you if the copying cost would exceed \$50. I have not counted the number of pages that would need to be copied; but I know based on the application consisting of 613 pages that the cost will be greater than \$50.

Please let me know if you still prefer that we mail you a hard copy of the material or if the electronic files are sufficient. I can be reached by telephone at 605-773-3151, email at brian.gustafson@state.sd.us, or mail at the above address.

Sincerely,


Brian Gustafson, PE
Administrator
Air Quality Program